

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Public services – Police - Sri A. Vijayalingam, Ex PC 7575 of Hyderabad, (who was removed from service) – Reinstatement into service as per the Hon'ble APAT Orders dated:15-02-2012, in O.A.No.5745 of 2009 filed by the individual subject to the result in W.P.No. 25807 of 2012, pending before the Hon'ble High Court of Andhra Pradesh – Orders – Issued.

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**HOME (SERVICES-II) DEPARTMENT**

**G.O.Rt.No.2356**

Dated:13.12.2012  
Read the following:

1. Govt.Memo. No.34059-60/Ser-II/A2/2005-2, dt: 25-04-2005.
2. From the APAT, Hyderabad Orders dated: 15-02-2012, in O.A.No.5745 of 2009 filed by Sri A. Vijayalingam, Ex PC-7575 of Hyderabad.
3. From the DGP, A.P., Hyderabad, Lr Rc.No. 1397/Appeal-2/2006, dt: 19.04.2012.
4. From the Hon'ble High Court Orders dated: 28.8.2012 in WP.MP.No. 32878 of 2012 in W.P.No.25807 of 2012
5. From the DGP, A.P., Hyderabad, Lr Rc.No.1397/Appeal-2/2006, dt: 6.11.2012.

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**ORDER:-**

The Director General of Police, Andhra Pradesh, Hyderabad, in the letters 3<sup>rd</sup> and 5<sup>th</sup> read above, has stated that Sri A. Vijayalingam, Ex PC 7575 of Hyderabad, along with Sri M. Rajender, PC 7488 was handed up on a major charge under Rule 20 of APCS (CC&A) Rules, 1991 for the following delinquency:

"Sri M. Rajender, PC 7488 while working at Musheerabad PS, absented from duty and created nuisance at the road and thereby the traffic was completely jammed on Musheerabad Golconda X Road, and absented himself on many occasions. Moreover PC 7575 Sri K. Vijay Lingam of the same PS who was on duty on 13-06-93 from 1400 hours to 2000 hours along with PC 7488 M. Rajender, under intoxicated condition went to Ramnagar to the house of Smt. Aneeta assaulted her and others, abused in a filthy language and created nuisance in the locality".

2. The Addl. Dy. Commissioner of Police, Task Force North, East & Central Zones, Hyderabad City, who was appointed as E.O. to conduct the O.E. against the charged officer held the Charge as 'Proved'. After following the procedure prescribed in the APCS (CC&A) Rules, the Commissioner of Police, Hyderabad, awarded the punishment of 'Removal from Service', on PC 7575 Sri K. Vijay Lingam (applicant in OA) treating the suspension period w.e.f 20-07-93 to 08-11-93 as 'Not duty' dismissal from service on Sri M. Rajender, PC 7488 vide Proceedings Do. No.105 (No. L&O/B4/310/1993), dt. 06-01-2004. The appeal petitions of the both the charged officers were considered and rejected by the Appellate authority i.e., DGP, AP, Hyderabad vide Progs.T.Dis.No.838/Appeal-2/2004, dt. 23-09-2004.

3. The revision petitions of the charged officers were also considered and rejected by the Revision authority i.e., Government vide Memo. 1<sup>st</sup> read above.

4. Aggrieved with the above orders, Sri A. Vijayalingam, Ex PC 7575, has filed O.A.No. 5745 of 2009 in the APAT challenging the said punishment order. A counter was filed by the Commissioner of Police, Hyderabad in the Hon'ble APAT in O.A.No.5745 of 2009.

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5. The Hon'ble APAT passed the following orders dated:15-02-2012, in O.A.No.5745 of 2009:

"The respondents are directed to reinstate the applicant into service with all consequential benefits including the arrears of salary seniority and promotion etc. The respondents are directed to complete this exercise within a period of four weeks from the date of receipt of a copy of this order".

6. A W.P. No.25807/2012 was filed by the C.P., Hyderabad, in the Hon'ble High Court of A.P. on 20.7.2012 against the orders of the Hon'ble A.P.A.T. praying the Hon'ble High Court to suspend the said orders of the A.P.A.T. in which the respondents were directed to reinstate the petitioner into service.

7. The Hon'ble High Court has heard the case in WPMP No.32878/2012 in W.P.No.25807/2012 filed by the C.P., Hyderabad and passed the following orders:

*"Having regard to the facts and circumstances of the case, we are not inclined to suspend the order of the APAT, Hyderabad, dated 15.2.2012 in O.A.No. 5745/2009 which is impugned in the W.P. However, any action taken as per the above orders of the Tribunal i.e., reinstatement of the respondent herein (applicant before the Tribunal) into service etc., shall be subject to the result of this Writ Petition."*

8. Government, after careful examination of the matter with reference to the orders of the Hon'ble Courts, hereby reinstate Sri A. Vijayalingam, Ex PC 7575 of Hyderabad, (who was removed from the service) into service as per the orders of the Hon'ble Andhra Pradesh Administrative Tribunal dated: 15.02.2012 in O.A.No. 5745/2009, subject to the outcome of W.P.No.25807 of 2012, pending before the Hon'ble High Court of Andhra Pradesh.

9. The Director General of Police, Andhra Pradesh, Hyderabad, is requested to take necessary further action accordingly in the matter. The records received, through the letter 5<sup>th</sup> read above, are returned herewith and receipt of the same should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.P.DAS  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Director General of Police, Andhra Pradesh, Hyderabad (with records).

**Copy to:**

The Individual concerned (through the DGP, AP, Hyderabad).

The Commissioner of Police, Hyderabad.

Government Pleader for Home, APAT, Hyderabad.

SF/SC.

//FORWARDE::BYORDER//

SECTION OFFICER